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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/510,659

06/09/2005

Thomas Fuchrer

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KENYON & KENYON LLP
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NEW YORK, NY 10004

EXAMINER

JAHANGIR, KABIR U

ART UNIT

PAPER NUMBER

2109

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/07/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/510,659	Applicant(s) FUEHRER ET AL.	
	Examiner Kabir Jahangir	Art Unit 2109	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claims 10 and 12 are objected to because of the following informalities: There is a type error "informationof" in line 5 of claim 10 and line 6 of claim 12. Appropriate correction is required.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. The term "the missing binary information" in claim 6 line 5, claim 10 line 5 and claim 12 line 6 is a relative term which renders the claim indefinite. The term "the missing binary information" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably appraised of the scope of the invention. The "the missing binary information" never been mention before, therefore, the examiner does not understand the meaning of the phrase.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 6-8 and 10-13 are rejected under 35 U.S.C. 102(a and b) as being anticipated by Devore et al., US3821703.

For claim 6, Devore et al. teaches:

A method for padding segments for transmitting data (See the Abstract and col. 2 lines 35-39) on a bus system, the segments having a preset total number of binary information pieces (See col. 2 lines 45-50), comprising: transmitting the data in the segments (See col. 2 lines 35-39); and in the event of transmission of data including less binary information (See col. 2 lines 55-60) than a predetermined total number of the segments, padding the missing binary information of the data (See col. 2 lines 60-63) to the total number of the segments by a filling pattern (See col. 4 lines 10-17) of a corresponding number of binary information pieces, wherein the filling pattern includes a number of binary information pieces that corresponds to the total number of the segments (See col. 4 lines 10-17) and is first written into the segment, and wherein the binary information of the data is subsequently written into the same segment, the particular binary information of the filling pattern being overwritten by the binary information of the data.

For claims 7, 11 and 13 Devore et al. teaches that binary information pieces includes bytes (See Abstract and col. 4 lines 60-67).

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For claim 8, note that data are processed in buffer system (See col. 3 lines 1-2).

For claim 10, a device (See col. 2 lines 35-40) for padding segments for transmitting data on a bus system as set forth in above rejection.

For claim 12, a bus system (invention can be practiced in a data processing system, See col. 11 lines 15-18), which can comprise the above mentioned method and device, is also rejected as set forth in above rejection.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Devore et al., US 3821703 in view of Padovani et al., 2003/0063583.

7. Devore et al. as set forth above, shows that data are transmitted in a bus system but never been mentioned that the bus system is a time controlled bus system.

However, Padovani et al. shows that bus system can be a time controlled bus system and segments correspond to time slots on the bus system (See paragraph [0020]). It would have been obvious to one having ordinary skill in the art at the time the invention

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was made to modify the Signal Transferring of Devore et al. by a time controlled bus system, as taught by Padovani et al. to improve the efficiency of the data transfer.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nishio et al. US 6349348, and White et al. US 7007114.

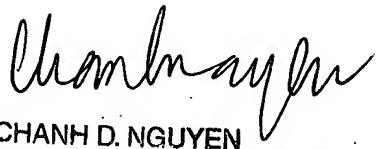
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kabir Jahangir whose telephone number is 571-270-1761. The examiner can normally be reached on Mon-Fri, 7:30am-5:00pm EST every other Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Reynolds can be reached on 571-272-4919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KJ


CHANH D. NGUYEN
SUPERVISORY PATENT EXAMINER